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OFFICE OF PETITIONS

In re Application of	:	
TEYCHENE	:	
Application No.: 10/532,569	:	DECISION ON PETITION
Filing Date: April 21, 2005	:	UNDER 37 CFR 1.137(b)
Attorney Docket No.: 37261P110	:	

This is a decision on the petition under 37 CFR 1.137(b), filed December 14, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 26, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned on July 26, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee; and (3) the required statement of unintentional delay have been received. As to item (3), petitioner's statement that "the delay in taking required further action was completely unintentional" has been construed as meaning that the "entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional." If this interpretation is incorrect, applicant must *immediately* notify the Office of the Deputy Commissioner for Patent Examination Policy of such fact. Accordingly, the reply to the Office action mailed April 26, 2006 is accepted as having been unintentionally delayed.

This application is being referred to Technology Center AU 3734 for appropriate action, if any, on the reply in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3301.

Daniel Stemmer
Legal Examiner
Office of the Deputy Commissioner
for Patent Examination Policy